

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARY JANE GLOWCZENSKI and JEAN GRIFFIN,  
Individually and as the Co-Administratrix  
of the Estate of DAVID GLOWCZENSKI,

Docket No.: CV-04-4052

Plaintiffs,

-against-

VILLAGE OF SOUTHAMPTON, SOUTHAMPTON  
VILLAGE POLICE DEPARTMENT, POLICE OFFICER  
Brian Platt, in his individual and official  
capacity POLICE OFFICER Marla Donovan,  
in her individual and official  
capacity, POLICE OFFICER Chris Wetter,  
in his individual and official capacity,  
POLICE OFFICER Arthur Schucht, in his  
individual and official capacity, COUNTY OF SUFFOLK,  
SUFFOLK COUNTY POLICE DEPARTMENT,  
LIEUTENANT Jack Fitzpatrick, in his individual and  
official capacity, LIEUTENANT Howard Lewis, in his  
individual and official capacity, John Doe 1-10, who are  
known by name to the Defendants but as of yet are not  
fully known to the Plaintiffs, OFFICE OF THE SUFFOLK  
COUNTY MEDICAL EXAMINER, James C. Wilson, M.D.,  
Deputy Medical Examiner, in his individual and official  
capacity, SOUTHAMPTON VILLAGE VOLUNTEER  
AMBULANCE (a.k.a. SOUTHAMPTON E.M.T. UNIT),  
Melissa Croke, EMT, in her individual and official capacity,  
Keith Phillips, EMT, in his individual and official capacity,  
Tim Campbell, EMT, in his individual and official capacity,  
and James Moore, Ambulance Driver, in his individual and  
official capacity,

AFFIDAVIT OF  
Christopher A. Broich

Defendants.

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STATE OF NEW YORK, COUNTY OF SUFFOLK, SS:

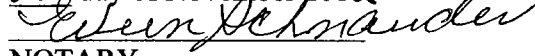
I, CHRISTOPHER A. BROICH, am a former Police Sergeant with the Village of  
Southampton Police Department. I was employed as a Police Sergeant by for mentioned police  
department on February 4, 2004. I attest to the following statements below as true regarding  
Defendant Police Officers and Defendant Village of Southampton Police Department at the time of  
the incident with Decedent David Glowczenski, which occurred on February 4, 2004.

1. The Village of Southampton police officers were trained at the Suffolk County Police Academy and were aware of the Suffolk County Police Department's written directives and Force Continuum, as these documents were the basis of some, if not all, of the training.
2. Defendant Police Officers were taught about positional asphyxia as part of their training at the Suffolk County Police Academy.
3. Defendant Village of Southampton Police Department was aware of propositions put forth by the International Association of Chiefs of Police ("IACP"), as certain ranking officers with the Department were members of the IACP. Furthermore, all police officers had access to the monthly magazine issued by the IACP "Members Chief Police Magazine" which was continually available in the squad room.
4. Defendant Officer Marla Donovan lacked in-service training, as she had been assigned as an elementary classroom D.A.R.E. officer for an excess of ten years. Even after David Glowczenski's death, Officer Donovan endangered at least one suspect by sitting on the suspect during an arrest and putting the suspect at risk of positional asphyxia.
5. Pursuant to the authority of 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

  
CHRISTOPHER A. BROICH

Sworn to before me this

20 day of November 2010

  
NOTARY

EILEEN SCHNAUDER  
No. 4904293  
Notary Public, State of New York  
Qualified in Suffolk County  
My Commission Expires 08/31/2013

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of the Estate of DAVID GLOWCZENSKI,

Plaintiffs,  
-against-

TASER INTERNATIONAL, INCORPORATED,  
  
Defendants.

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VILLAGE POLICE DEPARTMENT, POLICE OFFICER  
Brian Platt, in his individual and official  
capacity POLICE OFFICER Maria Donovan,  
in her individual and official  
capacity, POLICE OFFICER Chris Wetter,  
in his individual and official capacity,  
POLICE OFFICER Arthur Schuchet, in his  
individual and official capacity, COUNTY OF SUFFOLK,  
SUFFOLK COUNTY POLICE DEPARTMENT,  
LIEUTENANT Jack Fitzpatrick, in his individual and  
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Defendants.

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AFFIDAVIT OF CHRISTOPHER A. BROICH  
-----X

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